



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MCM:RCH/EMR
F. #2017R01784

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 17, 2019

By ECF

The Honorable Kiyo A. Matsumoto
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Marina Golfo
Criminal Docket No. 19-095 (KAM)

Dear Judge Matsumoto:

The government respectfully writes to request that a proposed stipulation concerning discovery materials that contain personally identifiable information regarding individuals other than the defendant ("PII") be so ordered by the Court. The government makes this application because there is a significant amount of discovery material to be produced to the defendant that contain PII and it believes that the proposed stipulation will enable expedited production of those materials. The proposed stipulation and order, which has been signed by all parties, is respectfully enclosed for the Court's consideration.

Respectfully submitted,

RICHARD P. DONOGHUE
United States Attorney

By: /s/
Ryan C. Harris
Assistant U.S. Attorney
(718) 254-6489

cc: Edward V. Sapone, Esq. (By ECF)

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F. #2017R01784

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

MARINA GOLFO,

Defendant.

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STIPULATION AND ORDER

Cr. No. 19-095 (KAM)

WHEREAS, the discovery materials to be provided by the government in the above-captioned case (hereinafter, the “Discovery Materials”) contain personally identifiable information regarding individuals other than the defendant (hereinafter “PII”), including information relating to the names, addresses and dates of birth of those other individuals,

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned that:

1. The Discovery Materials can be used by the defendant and her defense counsel in this matter only for purposes of trial preparation, defense at trial against the charges set forth in the above-captioned indictment, and any related appellate or post-conviction matters, where applicable, arising from the above-referenced trial.

2. The defendant may only possess copies of materials provided as part of the Discovery Materials that do not contain PII. With respect to any documents produced as part of the Discovery Materials that contain PII, the defendant may not possess or maintain a copy of such documents outside of the presence of her defense counsel unless the PII has

been redacted from those documents. However, the defendant may review unredacted Discovery Materials in the presence of her attorney.

3. Absent further order of the Court, the defendant and her defense counsel may not disclose or disseminate the Discovery Materials containing PII (even if the PII has been redacted) or any information contained in those documents to anyone who has not signed this Stipulation and Order, other than those of defense counsel's legal staff and any potential expert witnesses, vendors and/or investigators that have been advised of and agreed to be bound by the terms of this Stipulation and Order. If the defendant, her defense counsel, or anyone else who has received Discovery Materials containing PII from the defendant or her counsel pursuant to the terms of this Stipulation and Order seeks to make further disclosure or dissemination of the Discovery Materials with PII (even if the PII has been redacted), notice must first be provided to the government and the Court, and such notice must be given sufficiently in advance of the contemplated disclosure or dissemination so as to permit briefing and argument on the propriety thereof.

4. Absent further order of the Court, the defendant and her defense counsel may not use PII, whether directly or indirectly, for any other purpose than specifically stipulated to herein.

5. In the event that the defendant seeks to file Discovery Materials with the Court or otherwise use Discovery Material during a court proceeding, the defendant and her counsel will comply with Rule 49.1(a) of the Federal Rules of Criminal Procedure, will ensure that court transcripts are appropriately redacted to protect PII and financial information, and will seek permission from the Court to offer the redacted versions of Discovery Material into evidence unless it is necessary to offer the unredacted version.


6. The defendant and her defense counsel will return to the government all copies of the Discovery Materials provided by the government through discovery in this case at the conclusion of this matter, specifically either within seven days of (a) a verdict of acquittal rendered by a jury, (b) the date of sentencing if no appeal is filed or (c) the issuance of an appellate decision rendering a final judgment.

7. Any violation of this Stipulation and Order (a) will require the immediate return to the government of the Discovery Materials and (b) may result in contempt of Court.

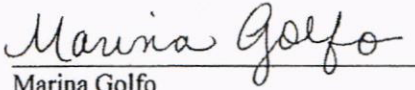
Dated: Brooklyn, New York
July 17, 2019

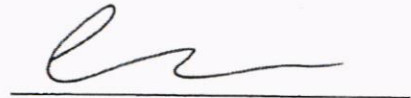
RICHARD P. DONOGHUE
United States Attorney
Eastern District of New York

By:


Ryan C. Harris
Assistant U.S. Attorney

Agreed to by:


Marina Golfo
Defendant


Edward V. Sapone, Esq.
Attorney for Defendant Marina Golfo

SO ORDERED:

THE HONORABLE KIYO A. MATSUMOTO
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK